

Amendment No. \_\_\_\_\_

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Signature of Sponsor

**AMEND Senate Bill No. 2292\***

**House Bill No. 2454**

<b>FILED</b>
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

by deleting all language after the enacting clause and substituting instead:

SECTION 1. Tennessee Code Annotated, Section 39-17-902, is amended by redesignating subsection (e) as subdivision (e)(1) and adding the following new subdivision (e)(2):

(2) The educational justification exception established in subdivision (e)(1) does not apply if the obscene material is possessed by a person with the intent to send, sell, distribute, exhibit, or display the material to a minor.

SECTION 2. Tennessee Code Annotated, Section 49-1-221(a)(1), is amended by deleting subdivision (C) and substituting:

- (C) Select technology for the LEA's computers having internet access that will:
- (i) Filter, block, or otherwise prevent access to pornography or obscenity through online resources; and
  - (ii) Prohibit and prevent a user from sending, receiving, viewing, or downloading materials that are deemed to be harmful to minors, as defined in § 39-17-901;

SECTION 3. Tennessee Code Annotated, Section 49-1-221, is amended by adding the following as new subsections:

- (c)
- (1) A contract between an LEA and a provider of technology for the LEAs computers that is used to comply with subdivision (a)(1)(C) must include a verification that the technology:



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(A) Prohibits and prevents a user of an LEA computer from sending, receiving, viewing, or downloading materials that are deemed to be harmful to minors, as defined in § 39-17-901; and

(B) Filters, blocks, or otherwise prevents access to pornography or obscenity.

(2) If a provider of technology for LEA computers fails to fulfill the provider's contractual obligations under subdivisions (c)(1)(A) and (B), then the LEA may withhold further payments, if any, to the provider until the provider's obligations under subdivisions (c)(1)(A) and (B) are fulfilled.

(3) If a provider of technology for LEA computers fails to fulfill the provider's obligations under subdivisions (c)(1)(A) and (B) for more than five (5) business days, then the LEA may consider the provider's non-compliance a breach of contract.

(4) As used in this subsection (c), "verification" means a documented attestation by a provider of technology for LEA computers that the provider will fulfill all of the requirements of subdivisions (c)(1)(A) and (B), submitted to the LEA prior to execution of a contractual agreement between the LEA and the provider.

(d) Each local board of education shall:

(1) Establish, or contract with a third party to establish, a mechanism for the parent or legal guardian of a student enrolled in the LEA, or a student enrolled in the LEA, to report a failure of the technology selected by the LEA to filter, block, or otherwise prevent access to pornography or obscenity through online resources to the respective school; and

(2) Submit an annual report to the state board of education on the successes or failures of the technology selected by the LEA to filter, block, or

otherwise prevent access to pornography or obscenity through online resources,  
including the number of reports submitted pursuant to subdivision (d)(1).

SECTION 4. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act are severable.

SECTION 5. Section 1 of this act takes effect on July 1, 2022, the public welfare requiring it, and applies to offenses occurring on or after that date. All other sections of this act take effect July 1, 2022, the public welfare requiring it, and apply to contracts entered into or renewed on or after that date.

Amendment No. \_\_\_\_\_

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Signature of Sponsor

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 2215\***

**House Bill No. 2604**

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-3-359, is amended by designating the existing language of subsection (a) as subdivision (a)(1) and adding the following as a new subdivision:

(2) For the 2022-2023 school year, there is included in the BEP an amount of money sufficient to pay one hundred dollars (\$100) for every teacher in kindergarten through grade twelve (K-12), in addition to the amount provided pursuant to subdivision (a)(1). This money must be used by teachers for instructional supplies, as determined necessary by the respective teacher. The purpose of these funds is to permit purchase of items of equipment for the benefit and enhancement of the instructional program. The funds cannot be used for basic building needs such as HVAC, carpets, furniture, items or equipment for the teachers' lounge, or the like. Funds that remain unspent at the end of the school year must be pooled at the school level and used to purchase items of equipment for the benefit of all teachers. Pooled funds cannot be used for basic building needs such as HVAC, carpets, furniture, items or equipment for the teachers' lounge, or the like.

SECTION 2. This act is not an appropriation of funds, and funds shall not be obligated or expended pursuant to this act unless the funds are specifically appropriated by the general appropriations act.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.



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Amendment No. \_\_\_\_\_

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Signature of Sponsor

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Date \_\_\_\_\_

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Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 1134**

**House Bill No. 591\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-13-104, is amended by deleting subdivision (14) and adding the following as new subdivisions:

( ) "Underutilized property":

(A) Means a building or portion thereof, with or without improvements, that is operated by an LEA at less than fifty-five percent (55%) capacity, as reported pursuant to § 49-13-136(c)(1)(C), or in which more than fifty percent (50%) of the building is not being used by an LEA for direct academic instruction of students in pre-kindergarten through grade twelve (pre-K-12), or any combination thereof, including, but not limited to, spaces suitable for classroom use that are currently being used for storage of any kind; and

(B) Does not include real property on which a building or permanent structure has not been erected or vacant property;

( ) "Vacant property":

(A) Means a building, with or without improvements, which is closed or no longer used for direct academic instruction for students in pre-kindergarten through grade twelve (pre-K-12), or any combination thereof, including, but not limited to, spaces suitable for classroom use that are currently being used for storage of any kind; and

(B) Does not include real property on which a building or permanent structure has not been erected;



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SECTION 2. Tennessee Code Annotated, Section 49-13-136, is amended by deleting subsections (c) and (d) and substituting instead:

(c)

(1) By May 1, 2023, and by each May 1 thereafter, an LEA in which one (1) or more public charter schools operate shall publish the following information on the LEA's website for each building operated by the LEA, including buildings owned by the LEA that are currently being used by a public charter school:

(A) The address or location of each building and the total square footage of, and the number of classrooms in, each school building;

(B) The portion of the total square footage of a building that is used by the LEA for direct instruction to students in pre-kindergarten through grade twelve (pre-K-12), or any combination thereof;

(C) The enrollment capacity of each building and the number of students in pre-kindergarten through grade twelve (pre-K-12), or any combination thereof, receiving academic instruction in the building; and

(D) If a building is not used by the LEA for direct academic instruction for students in pre-kindergarten through grade twelve (pre-K-12), or any combination thereof, then the manner in which the school building is used, including whether the building is vacant or is being used for administration, storage, or professional development.

(2) An LEA in which one (1) or more public charter schools operate shall submit a comprehensive listing of all underutilized property or vacant property to the department of education and the comptroller of the treasury. The department shall make an LEA's list available to a public charter school operating in the LEA or to a sponsor seeking to establish a public charter school in the LEA.

(3) A public charter school may petition the comptroller of the treasury for an audit of the list of all underutilized property or vacant property submitted by

the LEA in which the public charter school is, or will be, geographically located. The comptroller of the treasury is authorized to promulgate rules, in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, for the administration of this subdivision (c)(3).

(4) A public charter school operating within the geographic boundaries of an LEA, excluding public charter schools in the achievement school district, has a right of first refusal to:

(A) Purchase vacant property listed by the LEA under this section at or below fair market value. For purposes of this subsection (c), "fair market value" is determined by taking the average of two (2) separate appraisals conducted by two (2) independent, qualified appraisers, one (1) selected by the LEA and one (1) selected by the public charter school; or

(B) Lease underutilized property or vacant property listed by the LEA under this section at an annual cost not to exceed the annual capital outlay funding received by the public charter school leasing the building, as calculated under § 49-13-112(d). A lease agreement executed between a public charter school and an LEA shall not reflect any outstanding bonded debt on the underutilized property or vacant property, except as agreed upon to reflect any necessary costs associated with the occupation or remodeling of the facility. An LEA is not responsible for any necessary costs associated with the public charter school's occupation of the facility unless agreed upon with the public charter school.

(5)

(A) Upon the execution of a lease agreement pursuant to this section, a public charter school has unrestricted use of the property. The public charter school shall provide for routine maintenance and repair so

that the leased property is maintained in as good of order as when the lease was executed. The public charter school is responsible for paying all utilities used by the public charter school at the leased property. Extensive repairs to buildings or facilities considered capital expenses are the responsibility of the LEA funding body and not the public charter school. If the public charter school makes extensive repairs to buildings or facilities considered capital expenses, then the capital expenses must be credited against the cost of the lease. Any fixtures, improvements, or tangible assets added to leased property by the public charter school pursuant to this section must remain at the leased property upon the public charter school's return of the leased property to the LEA.

(B) If the LEA decides to sell the school building that the public charter school is leasing, then the public charter school must be provided the right of first refusal to purchase the school building at or below fair market value, less the value of all rental payments made to the LEA during the term of the lease.

(C) If, during the term of the lease, the charter school closes or ceases using the building, then the building must be placed on the LEA's vacant or underutilized property list pursuant to this subsection (c).

(d) The state board of education is authorized to promulgate rules, in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, for the administration of this section.

SECTION 3. Tennessee Code Annotated, Section 49-13-136, is amended by adding the following as a new subsection:

(g) The property tax exemptions in §§ 67-5-203 and 67-5-212 apply to public charter school property, including any facility, or portion thereof, used to house a public charter school.



SECTION 4. Tennessee Code Annotated, Section 49-13-144(b), is amended by deleting the language:

Such policies must ensure funds are made available on an equitable basis for the benefit of public charter schools of all sizes, characteristics, geographic locations, and authorizers.

and substituting instead:

Such policies must ensure at least fifty percent (50%) of the funds are made available on a per pupil basis for the benefit of public charter schools of all sizes, characteristics, geographic locations, and authorizers.

SECTION 5. This act is not an appropriation of funds, and funds must not be obligated or expended pursuant to this act unless the funds are specifically appropriated by the general appropriations act.

SECTION 6. This act takes effect July 1, 2022, the public welfare requiring it.

Amendment No. \_\_\_\_\_

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Signature of Sponsor

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 2709**

**House Bill No. 2854\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 5, Part 7, is amended by adding the following as a new section:

(a) As used in this section, "family member" means a:

- (1) Spouse;
- (2) Child;
- (3) Parent;
- (4) Grandchild;
- (5) Grandparent; or
- (6) Other dependent person.

(b) An LEA is urged to provide each full-time or part-time employee of a public school in the LEA with up to ten (10) days of COVID-19 paid sick leave for the following:

- (1) The employee who tests positive for COVID-19;
- (2) The employee who is required to quarantine due to COVID-19 exposure;
- (3) The employee who has side effects as a result of the COVID-19 vaccine; or
- (4) The employee who cares for:

(A) An employee's family member who tests positive for COVID-19; or



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(B) A person who resides in the employee's household who tests positive for COVID-19.

(c) An employee who receives leave pursuant to this section shall submit a doctor's note, which describes the reason for the leave in accordance with subsection (a), to the employee's supervisor or the supervisor's designee to receive COVID-19 paid sick leave.

(d) This section does not require an LEA to provide a full-time or part-time employee of a public school in the LEA with more than ten (10) days of COVID-19 paid sick leave in a school year. This subsection (d) does not prohibit an employee from receiving leave due to COVID-19 through other state or local leave plans.

(e) An LEA that provides leave under this section is urged not to charge an employee for a day of leave for a day that is covered by a COVID-19 paid sick leave.

(f) This section applies to the 2020-2021 and the 2021-2022 school years.

(g) The department is urged to collect data concerning the implementation and administration of this section from LEAs that provide COVID-19 paid sick leave under this section, develop best practices for the implementation and administration of this section, and make the best practices available to all LEAs.

SECTION 2. This act is not an appropriation of funds, and funds shall not be obligated or expended pursuant to this act unless the funds are specifically appropriated by the general appropriations act.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

House K-12 Subcommittee Am. #1

Amendment No. \_\_\_\_\_

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Signature of Sponsor

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 1670\***

**House Bill No. 2341**

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-6-3004(c)(1)(B), is amended by deleting the language "each teacher employed by the board" and substituting instead the language "each employee of the LEA who works directly with students in the LEA".

SECTION 2. Tennessee Code Annotated, Section 49-6-3004(c)(1)(B), is amended by deleting the language "a teacher" and substituting instead the language "an employee" and by deleting "each teacher who" and substituting instead "each employee who".

SECTION 3. Tennessee Code Annotated, Section 49-6-3004(c)(1)(B), is amended by deleting the language "Beginning with the 2021-2022 school year, each" and substituting instead the language "Each".

SECTION 4. This act takes effect July 1, 2022, the public welfare requiring it, and applies to the 2022-2023 school year, and each school year thereafter.



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Amendment No. \_\_\_\_\_

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Signature of Sponsor

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Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 2315**

**House Bill No. 2430\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 2, Part 1, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Bonded indebtedness" means bonds, notes, or other debt instruments with a term of not less than twenty (20) years issued by the county or county LEA, the proceeds of which were used to construct or renovate improvements to land;

(2) "Land" means the tract of real property upon which a school operated by a county LEA within the geographic boundaries of a municipal LEA is located, and all contiguous tracts of real property, if any, owned by the county or county LEA that are used for the operation of the school that are located within the geographic boundaries of the municipal LEA; and

(3) "Municipal LEA" means an LEA:

(A) Established by a municipality pursuant to § 49-2-127; and

(B) That serves each of the grades kindergarten through twelve (K-12).

(b) A county LEA shall not operate a school within the geographic boundaries of a municipal LEA, except as authorized in this section.



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(c) A county LEA and a municipal LEA may enter into a written agreement that authorizes the county LEA to operate a school within the geographic boundaries of the municipal LEA. A written agreement entered into pursuant to this subsection (c) must:

- (1) Set the term of the agreement, which shall not exceed thirteen (13) years;
- (2) Identify each grade level to be taught at each school that is to be operated by the county LEA pursuant to the agreement;
- (3) Describe the geographic boundaries of each school zone that is to be operated by the county LEA pursuant to the agreement;
- (4) Comply, as applicable, with title 12, chapter 9 and §§ 49-2-1001 and 49-2-1101; and
- (5) Be authorized and approved by the county LEA's local board of education and the municipal LEA's local board of education, or, if the municipal LEA does not have a local board of education, the municipal legislative body.

(d) If a county LEA operates a school located within the geographic boundaries of a municipal LEA and the county LEA and municipal LEA do not enter into an agreement in accordance with subsection (c) before the beginning of the county LEA's next school year, or if an agreement in accordance with subsection (c) terminates or expires without renewal, then title to all real property and fixtures used by the county LEA for the operation of a school located within the geographic boundaries of the municipal LEA immediately vests to the municipal LEA by operation of law. The director of schools for the municipal LEA shall execute an affidavit evidencing transfer of title from the county LEA to the municipal LEA, or to the municipality in which the municipal LEA is located, pursuant to this section and shall cause the affidavit to be recorded with the office of the register of deeds for the county in which the property is located. The effective date of a transfer of title pursuant to this subsection (d) is the date on which the

municipal LEA's director of schools records the affidavit with the office of the register of deeds.

(e)

(1) A municipal LEA, or the municipality in which the municipal LEA is located, that receives title to all real property and fixtures pursuant to subsection (d) shall reimburse the county LEA for:

(A) The fair market value of the land transferred to the municipal LEA or the municipality in which the municipal LEA is located, excluding any improvements; and

(B) The principal amount of any outstanding bonded indebtedness for the construction or renovation of improvements to the land, as of the date on which title is transferred under subsection (d).

(2) Reimbursement pursuant to subdivision (e)(1) must be paid to the county LEA in fifteen (15) annual installments. The first installment is due one (1) year from the date on which title to all real property and fixtures was transferred to the municipal LEA, or to the municipality in which the municipal LEA is located, pursuant to subsection (d). All subsequent installments are due annually on that same date until the reimbursement obligation is satisfied.

(3) If the proceeds of any outstanding bonded indebtedness were used by the county or the county LEA to pay the costs of constructing or renovating improvements for more than one (1) property owned by the county or the county LEA, then the principal amount of the bonded indebtedness, for purposes of subdivision (e)(1)(B), must be prorated based on the proportion that the actual construction costs for the improvements or renovations to the land bear to the total construction costs of all improvements funded by the bonded indebtedness used to fund the improvements or renovations to the land.

(f) The land and any improvements acquired by the municipal LEA, or the municipality in which the municipal LEA is located, must be used for educational purposes. If the municipal LEA, or the municipality in which the municipal LEA is located, determines that it is in the community's best interest to sell the land or any improvements thereon during the twenty-year period beginning on the date on which the affidavit evidencing transfer of title is recorded with the office of the register of deeds, then one half (1/2) of the net proceeds must be divided equally between the municipal LEA, or the municipality in which the municipal LEA is located, as applicable, and the county LEA, less any payments made to the county LEA as provided in section (e).

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.



House K-12 Subcommittee Am. #1

Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

**AMEND Senate Bill No. 2389\***

**House Bill No. 2774**

by deleting § 49-6-3802(3)(B) of Section 1 and substituting:

(B) Assistive learning technology or other technology fees approved by the department;

**AND FURTHER AMEND** by deleting "Subject to appropriation" in § 49-6-3803(a) of Section 1  
and substituting "Subject to available funds".

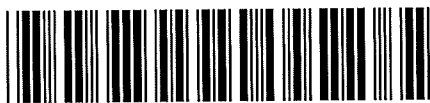
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Date \_\_\_\_\_

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